

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/761,347 Confirmation No.: 3254  
Applicant : Oba, Yoshihiro and Baba, Shinichi  
Filed : January 22, 2004  
TC/A.U. : 2141  
Examiner : Taylor, Nicholas R.  
Docket No. : 3119-102  
Customer No. : 52190

**Certificate of Transmission**

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**DECLARATION PURSUANT TO 37 CFR § 1.131**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Honorable Sir:

We,

Yoshihiro Oba, residing at:

10 Second St.  
Englewood Cliffs, NJ 07632. USA

and,

Shinichi Baba, residing at:

hereby declare:

Application No.: 10/761,347  
Inventor: Oba, Yoshihiro and Baba, Shinichi  
Docket No.: 3119-102

1. We are employees of Toshiba American Research, Inc., 1 Telecordia Drive, Suite 1A257, Piscataway, NJ 08854.
2. We are Co-inventors of the claimed subject matter in the above-identified patent application.
3. As Co-inventors, we conceived of the invention described and claimed in the above-identified U.S. patent application prior to October 30, 2003. An invention disclosure (hereinafter "Disclosure") illustrating that the invention was conceived prior to October 30, 2003, was drafted no later than October 16, 2003. The Disclosure was subsequently updated on October 17, 2003 and November 7, 2003. *See Exhibit A (Copy of Disclosure) (modifications from October 16, 2003 shown in Track Changes).*
4. Based on information and belief, the Disclosure was presented to Toshiba American Research, Inc. (hereinafter "TARI") for review no later than October 30, 2003 and was communicated to the TARI Intellectual Property Department.
5. Based on information and belief, on October 31, 2003, Hirokatsu Suzuki, General Manager of Toshiba America, Inc., located in Washington, D.C., traveled to TARI in New Jersey to discuss the above-identified invention and having a U.S. patent application for the above-identified invention prepared by Stephen Parker, Esq. of the law firm of Rothwell, Figg, Ernst & Manbeck, PC. *See Exhibit B.*
6. Based on information and belief, on November 4, 2003, Mr. Suzuki contacted Mr. Parker to discuss the preparation of a U.S. patent application for the above-identified invention at TARI in New Jersey. Based on information and belief, an appointment was scheduled at TARI on November 24, 2003 and Mr. Parker, Mr. Vincent DeLuca and Mr. Yasuhisa Kurose all arranged to travel by airplane from Washington, D.C. to TARI. *See Exhibit C.*
7. On November 24, 2003, we met with Mr. Parker, Mr. DeLuca, Mr. Kurose and Mr. Suzuki at TARI to discuss the preparation of a U.S. patent application for the above-identified invention.
8. Based on information and belief, following the meeting of November 24, 2003, on November 25, 2003 and November 28, 2003, Mr. Parker requested electronic copies of the Disclosure and other associated information to expedite the preparation of a U.S. patent application for the above-identified invention. *See Exhibit D.*
9. Based on information and belief, an electronic copy of the Disclosure was forwarded to Mr. Parker on or about December 1, 2003.

Application No.: 10/761,347  
Inventor: Oba, Yoshihiro and Baba, Shinichi  
Docket No.: 3119-102

10. Based on information and belief, a draft U.S. patent application (hereinafter "Draft") for the above-identified invention was forwarded to us by Mr. Parker on or about January 16, 2004.

11. Between January 16, 2004 and January 22, 2004, we reviewed and identified any required revisions of the Draft, and we forwarded an executed Declaration to Mr. Parker.

12. On January 22, 2004, a U.S. patent application was filed for the above-identified invention, along with our executed Declaration.

We hereby declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

4/20/2006  
Date

Yoshihiro Oba  
Yoshihiro Oba

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shinichi Baba

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We,

Yoshihiro Oba, residing at:

\_\_\_\_\_  
\_\_\_\_\_

and,

Shinichi Baba, residing at:

Ozenji-Nishi 6-2-2-301  
Asao, Kawasaki, 215-0017, JAPAN

hereby declare:

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Inventor: Oba, Yoshihiro and Baba, Shinichi  
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\_\_\_\_\_  
Date

Apr 22 '06  
Date

\_\_\_\_\_  
Yoshihiro Oba

Shinichi Baba  
Shinichi Baba

## Exhibit A